

1632

PATENT
OKL010-00/00727A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BROYLES ET AL.)
SERIAL NO.: 10/003,669)
FILED: 11/01/2001)
FOR: GENE REGULATION THERAPY)
INVOLVING FERRITIN)
GROUP ART UNIT: 1632)
EXAMINER: QIAN, JANICE LI)

REQUEST FOR WITHDRAWAL BY ATTORNEY UNDER 37 CFR §1.36

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I respectfully request permission to withdraw from all further responsibility in this patent application in accordance with 37 CFR §1.36.

This request for withdrawal is submitted at the request of the Applicant. Please find attached a letter dated March 30, 2004 from the Applicant wherein they are instructing us to transfer the files to the below noted law firm. Also, attached is e-mail communication between the undersigned and Cheryl Husmann, patent agent for the Assignee regarding the outstanding Office Action and their instructions to have the new law firm undertake preparation and filing of the response.

The last mailing address of the Applicants are:

Robert H. Broyles and Robert A. Floyd
825 Northeast 13th Street
Oklahoma City, OK 73104

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents; Alexandria, VA 22313-1450 on April 7, 2004.


Amy Miles

Please direct any and all future correspondence concerning this case to:

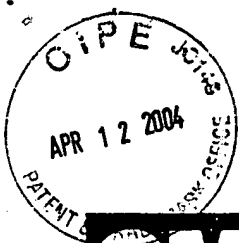
Steven L. Highlander, Esq.
Fulbright and Jaworski, LLP
600 Congress Avenue
Austin, Texas 78701
Phone 512-474-5201
Facsimile 512-536-4598

The undersigned authorized attorney signs on behalf of the attorney(s) and/or agent(s) presently listed in our Customer Nos. **24,118** (Tulsa, Oklahoma), **24,951** (Fayetteville, Arkansas) and **24,950** (Oklahoma City, Oklahoma).

Respectfully submitted,


Allen F. Bennett, Reg. No. 50,199
HEAD, JOHNSON & KACHIGIAN
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant

DATED: April 7, 2004



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MAR 31 2004



HEAD JOHNSON & KACHIGIAN
OKLAHOMA MEDICAL RESEARCH FOUNDATION
825 Northeast 13th Street ■ Oklahoma City, OK 73104 ■ 405/271-6673
Fax 405/271-3980 ■ 1-800-522-0211 (in state) ■ www.omrf.ouhsc.edu

March 30, 2004

Mark Kachigan
Head, Johnson & Kachigan
228 W 17th Place
Tulsa, Oklahoma 74119

Re: PCT Application Number PCT/US01/44847 (Your File No. 00727) in Europe, Australia, Canada and Japan and U.S. Patent Application Number 10/003,669 entitled "Gene Regulation Therapy Using Ferritin"
Transfer of files from Head Johnson & Kachigan to Fulbright & Jaworski

Dear Mark:

OMRF requests that Head Johnson and Kachigan, LLP transfer as soon as possible all past, current and future materials pertaining to the patent applications referenced above to:

Steven L. Highlander, Esq.
Fulbright & Jaworski, L.L.P.
600 Congress Avenue
Austin, TX 78701
Telephone: 512-474-5201
Fax: 512-536-4598

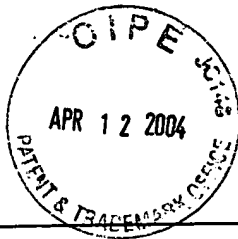
Please include all files, status listings for all cases and a docket of items due for the six months after the transfer of files. Please contact Dr. Highlander if you require additional details regarding the transfer, or please call me if you need additional clarification or further authorization from OMRF regarding any file transfer.

Additionally, I have not received an estimate of attorney time actually spent on the foreign filings referenced above. Therefore, OMRF requests a refund in the amount of \$6,380.53 which we believe is the amount paid by OMRF in excess of actual fees and expenses assessed by the foreign associates less any legitimate fees and expenses currently outstanding. Please send the requested refund to my attention.

Sincerely,

Cheryl Husmann
Licensing Associate and Patent Agent
OMRF Technology Transfer

cc: Larry J. Kennedy



Allen Bennett

From: "Allen Bennett" <abennett@hjkllaw.com>
To: "Cheryl Husmann" <Cheryl-Husmann@omrf.ouhsc.edu>
Sent: Monday, April 05, 2004 4:16 PM
Subject: Re: OMRF ref. No. 2000-004-002

Cheryl,

I asked our paralegals, and they said everything should be taken care of by the end of the week. You are welcome to tell your new attorney that I would be happy to discuss the status of the applications to "bring him up to speed" if he wants.

I enjoyed the opportunity to work with Dr. Broyles and wish all of you well.

Allen

----- Original Message -----

From: Cheryl Husmann
To: 'Allen Bennett'
Sent: Monday, April 05, 2004 4:09 PM
Subject: RE: OMRF ref. No. 2000-004-002

Allen,

Thanks for letting me know that you received the transfer request. Fulbright & Jaworski will handle the response to Office Action even though we will have to file a request for extension of time. Do you know when you will be able to send the files out?

Thanks again,
Cheryl

-----Original Message-----

From: Allen Bennett [mailto:abennett@hjkllaw.com]
Sent: Monday, April 05, 2004 4:08 PM
To: Cheryl Husmann
Subject: OMRF ref. No. 2000-004-002

Cheryl,

We have received your request to transfer all of your files to Fulbright & Jaworski and I am happy to do so. However, there is a response due by April 14th on the above referenced patent application. You had authorized me to proceed, but I have not yet received any comments from the inventors. Because the deadline is so soon, do you want me to still prepare a response, or simply transfer it? If you miss the deadline, F & J can still respond, but there is about a \$50.00 late fee. Please let me know if you would like me to prepare the response.

Thank you,
Allen